

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE: WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION,

This Document Relates to: ALL CASES

CASE NO. C09-037-MJP

**JP MORGAN CHASE BANK, N.A.'S
UNOPPOSED MOTION TO INTERVENE
FOR THE LIMITED PURPOSE OF
OPPOSING PLAINTIFFS' MOTION FOR
LEAVE TO AMEND TO ADD JPMC AS
A DEFENDANT IN THIS ACTION**

Noting Date: July 15, 2011

On June 23, 2011, Plaintiffs filed a motion for leave to amend their complaint in the above-captioned action to add JPMorgan Chase Bank, N.A. ("JPMC") as a defendant. (See Lead Pls.' Mot. & Mem. for Leave to Am. (Dkt. No. 256).) Plaintiffs consent to JPMC's intervention for the limited purpose of opposing Plaintiffs' Motion for Leave to Amend to Add JPMC as a Defendant in This Action. Pursuant to Rule 24 of the Federal Rules of Civil Procedure, JPMC moves for leave to intervene in this action for the limited purpose of opposing Plaintiffs' motion to amend the complaint to add it as a defendant.

"A nonparty seeking to intervene need not intervene as a full party to the litigation, but

JP MORGAN CHASE BANK, N.A.'S UNOPPOSED MOTION
TO INTERVENE - 1
Case No. C09-037-MJP

**CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP**
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 may intervene for a limited purpose.” LG Elecs. Inc. v. Q-Lity Computer Inc., 211 F.R.D.
2 360, 364 (N.D. Cal. 2002); see also VFD Consulting, Inc. v. 21st Servs., No. 04-2161, 2005
3 WL 1115870, at *4 (N.D. Cal. May 11, 2005) (“[T]he Ninth Circuit has expressly held that a
4 non-party seeking to intervene need not intervene as a full party to the litigation, but may
5 intervene for a limited purpose.” (citing Beckman Indus., Inc. v. Int’l Ins. Co., 966 F.2d 470,
6 472 (9th Cir. 1992)). Courts routinely allow a nonparty to intervene in an action for the
7 limited purpose of opposing a party’s motion to amend its pleading to add the nonparty to the
8 action. See, e.g., Hildes v. Andersen, No. 08-cv-0008, 2010 WL 2836769, at *6 (S.D. Cal.
9 July 19, 2010) (granting the outside directors’ motion to intervene because they had “a
10 significant protectable interest in that they seek to oppose a motion that requests leave to add
11 them as defendants in this case”); BMC-The Benchmark Mgmt. Co. v. Ceebraid-Signal Corp.,
12 No. 05-cv-1149, 2006 WL2189703, at *6 n.6 (N.D. Ga. Aug. 1, 2006) (granting the
13 nonparties’ motion to intervene in action for the limited purpose of opposing the plaintiffs’
14 motion to amend to add the nonparties as defendants); VFD Consulting, 2005 WL 1115870,
15 at *4-5 (granting the nonparty’s motion to intervene for the limited purpose of opposing the
16 defendants’ motion to amend to join nonparty in action); cf. LG Elecs., 211 F.R.D. at 365
17 (granting the nonparty’s motion to intervene for the limited purpose of opposing the plaintiff’s
18 motion to amend because “the disposition of [the plaintiff’s] motion to amend may as a
19 practical matter impair or impede [the nonparty’s] ability to protect its interest”). That is the
20 only reason that JPMC seeks to intervene in this action now. Accordingly, the Court should
21 grant JPMC’s motion to intervene, and should allow it the opportunity to oppose Plaintiffs’
22 motion for leave to amend the complaint.

23
24
25
JP MORGAN CHASE BANK, N.A.’S UNOPPOSED MOTION
TO INTERVENE - 2
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

Conclusion

For the foregoing reasons, the Court should grant JPMC's unopposed motion to intervene for the limited purpose of opposing Plaintiffs' motion for leave to amend to add JPMC as a defendant.

DATED this 11th day of July, 2011.

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP

/s/ Steven W. Fogg

Steven W. Fogg, WSBA No. 23528
Christina N. Dimock, WSBA No. 40159
1001 Fourth Avenue, Suite 3900
Seattle, WA 98154
(206) 625-8600

CRAVATH, SWAINE & MOORE LLP
Daniel Slifkin
Michael A. Paskin
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

JP MORGAN CHASE BANK, N.A.'S UNOPPOSED MOTION
TO INTERVENE - 3
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

CERTIFICATE OF SERVICE

The undersigned certifies as follows:

1. I am employed at Corr Cronin Michelson Baumgardner & Preece LLP, attorneys for JP Morgan Chase & Co. herein.

2. On July 11, 2011, I caused a true and correct copy of the foregoing document to be served on the following parties in the matter indicated below:

Floyd Abrams - fabrams@cahill.com

Michael H. Barr - mbarr@sonnenschein.com

Walter Eugene Barton - gbarton@karrtuttle.com, nrandall@karrtuttle.com,
danderson@karrtuttle.com

Steve W. Berman - steve@hbsslaw.com, robert@hbsslaw.com,
heatherw@hbsslaw.com

S Douglas Bunch - dbunch@cohenmilstein.com

Steven P Caplow - stevencaplow@dwt.com, patrickwatts@dwt.com,
sheilarowden@dwt.com, jasonSchattenkerk@dwt.com

Kevin P Chavous - kchavous@sonnenschein.com

James J. Coster - jcoster@ssbb.com, managingclerk@ssbb.com, jregan@ssbb.com

Hal D Cunningham - hcunningham@scott-scott.com, halcunningham@gmail.com,
efile@scott-scott.com

Kerry F Cunningham - kerry.cunningham@dlapiper.com

Leslie D Davis - ldavis@sonnenschein.com

Corey E Delaney - corey.delaney@dlapiper.com, kerry.cunningham@dlapiper.com,
richard.hans@dlapiper.com, patrick.smith@dlapiper.com

Joshua S. Devore - jdevore@cohenmilstein.com, efilings@cohenmilstein.com

Joseph A. Fonti - jfonti@labaton.com, ElectronicCaseFiling@labaton.com

Larry Steven Gangnes - gangnesl@lanepowell.com, sebringl@lanepowell.com,
docketing-sea@lanepowell.com, donnellyjoss@lanepowell.com

JP MORGAN CHASE BANK, N.A.'S UNOPPOSED MOTION
TO INTERVENE - 4
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

Jonathan Gardner jgardner@labaton.com
Joseph P Guglielmo - jguglielmo@scott-scott.com, efile@scott-scott.com
Richard F Hans - richard.hans@dlapiper.com, dorinda.castro@dlapiper.com
David Daniel Hoff - dhoff@tousley.com, efile@tousley.com
Julie Hwang - jhwang@labaton.com, ElectronicCaseFiling@labaton.com
Geoffrey M Johnson - gjohnson@scott-scott.com, efile@scott-scott.com
Matthew B. Kaplan - mkaplan@cohenmilstein.com, efilings@cohenmilstein.com
Stellman Keehn - stellman.keehn@dlapiper.com, patsy.howson@dlapiper.com
Paul Joseph Kundtz - pkundtz@riddellwilliams.com, mardowns@riddellwilliams.com,
mbergquam@riddellwilliams.com
Joel P Laitman - jlaitman@cohenmilstein.com
Bruce Earl Larson - blarson@karrtuttle.com, psteinfeld@karrtuttle.com
Mike Liles - Jr - mliles@karrtuttle.com
Christopher E Lometti - clometti@cohenmilstein.com
John D Lowery - jlowery@riddellwilliams.com, dhammonds@riddellwilliams.com
Douglas C McDermott - doug@mcdermottnewman.com,
eric@mcdermottnewman.com
Bradley T. Meissner - bradley.meissner@dlapiper.com
Timothy Michael Moran - moran@kiplinglawgroup.com,
cannon@kiplinglawgroup.com
Walter W. Noss - wnoss@scott-scott.com, efile@scott-scott.com
Brian O. O'Mara - bomara@csgrr.com
Barry Robert Ostrager - bostrager@stblaw.com, managingclerk@stblaw.com
Kenneth J Pfaehler - kenneth.pfaehler@snrdenton.com, nicole.reeber@snrdenton.com
Daniel B Rehns - drehns@cohenmilstein.com, efilings@cohenmilstein.com
Kenneth M Rehns - krehns@cohenmilstein.com
Julie Goldsmith Reiser - jreiser@cohenmilstein.com
Serena Richardson - srichardson@labaton.com, ElectronicCaseFiling@labaton.com
Rogelio Omar Riojas - omar.riojas@dlapiper.com, nina.marie@dlapiper.com,
karen.hansen@dlapiper.com

JP MORGAN CHASE BANK, N.A.'S UNOPPOSED MOTION
TO INTERVENE - 5
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 Darren J Robbins - e_file_sd@csgrr.com

2 Tammy Roy - troy@cahill.com

3 Joshua M. Rubins - jrubins@ssbb.com, managingclerk@ssbb.com, jregan@ssbb.com

4 Stephen M. Rummage - steverummage@dwt.com, jeannecadley@dwt.com

5 Hollis Lee Salzman - hsalzman@labaton.com, ElectronicCaseFiling@labaton.com

6 Paul Scarlato - pscarlato@labaton.com, ElectronicCaseFiling@labaton.com

7 Arthur L Shingler - ashingler@scott-scott.com, efile@scott-scott.com

8 Gavin Williams Skok - gskok@riddellwilliams.com,
9 dhammonds@riddellwilliams.com

10 Richard A Speirs - rspeirs@cohenmilstein.com

11 Kim D Stephens - kstephens@tousley.com, wcruz@tousley.com,
12 cbonifaci@tousley.com

13 Robert D Stewart - stewart@kiplinglawgroup.com, cannon@kiplinglawgroup.com

14 Janissa Ann Strabuk - jstrabuk@tousley.com, wcruz@tousley.com

15 Steven J Toll - stoll@cohenmilstein.com, efilings@cohenmilstein.com

16 Mary Kay - Vyskocil mvyskocil@stblaw.com

17 Dennis H Walters - dwalters@karrtuttle.com, wbarker@karrtuttle.com

18 Adam Zurofsky - azurofsky@cahill.com

19 I declare under penalty of perjury under the laws of the State of Washington that the
20 foregoing is true and correct.

21 DATED this 11th day of July, 2011, at Seattle, Washington.

22 /s/Heidi M. Powell
23 Heidi M. Powell

24 JP MORGAN CHASE BANK, N.A.'S UNOPPOSED MOTION
25 TO INTERVENE - 6
Case No. C09-037-MJP

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900